

# JOURNAL OF THE FLORIDA SENATE

Friday, May 28, 1971

The Senate was called to order by the President at 8:30 a.m. for the purpose of conducting the order of business of Introduction and reference of Resolutions, Memorials, Bills and Joint Resolutions, pursuant to Rule 4.3.

## INTRODUCTION

By Senator Trask—

SB 1602—A bill to be entitled An act relating to Polk County; establishing a magistrate court for said county; providing for the jurisdiction, powers, process and procedure of said court; providing for the appointment and election of judicial officers and fixing their compensation, duties and terms of office; providing for an executive officer, clerk and prosecuting attorney; providing quarters for said court and the furnishing of certain expenses by the county commission; providing severability clause; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1602.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senators Brantley and Arnold—

SB 1603—A bill to be entitled An act amending section 7.403 of the charter of the City of Jacksonville, being chapter 67-1320, Laws of Florida, as amended, so as to convert the public health division of the health, welfare and bio-environmental services department into and to establish same as a full-time local health unit under the provisions of chapter 154, Florida Statutes, with certain modifications; preserving and setting forth the rights of present personnel of said division who are under the civil service and pension system of said city and providing for those who may elect to become members of the state career service system; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1603.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senators Beaufort, Scarborough, Arnold, Brantley and Pope—

SB 1604—A bill to be entitled An act to allow the eight Jacksonville Police Officers hired in 1951 by the City of Jacksonville as War Substitutes to make certain retroactive payments to the 1937 Police and Firemen's Pension Fund; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1604.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senator Johnson (29th)—

SB 1605—A bill to be entitled An act relating to Brevard County; providing for the levying of a tax not to exceed nine tenths of one mill on all taxable property located within Brevard County recreation district number four and not zoned agricultural lands under the Florida Statutes and on the first one hundred acres of said agricultural lands located within said recreation district for the purpose of providing and maintaining recreational facilities and programs; providing for the creation of a recreation board to govern said district; providing that the levying of said tax shall be on all taxable property located within said recreation district regardless of the use of said property as agricultural lands in the event the classification of agricultural lands is held invalid or unconstitutional or in the event said classification is subsequently repealed by general law; providing for a referendum and an effective date.

Evidence of notice and publication was established by the Senate as to SB 1605.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senator Johnson (29th)—

SB 1606—A bill to be entitled An act relating to Martin County; establishing a magistrate's court and combining the duties of the said court with that of the small claims court; abolishing justices of the peace and combining the committing magistrate's duties with the magistrate's court; providing for the appointment and election of a judge and fixing his compensation and term of office; providing for the jurisdiction of said court of both criminal and civil nature including acting as coroner; providing for the furnishing of such expenses by the county commission; providing for process, records, clerk and rules of procedure; providing an effective date subject to approval by referendum election.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senators Daniel and Karl—

SB 1607—A bill to be entitled An act amending Chapter 67-1608 and 70-770, relating to the Lake County Pollution Control Board and amending the provisions regarding the Pollution Control Officers' qualifications; establishing the Pollution Control Officers' qualifications; providing for an effective date.

Evidence of notice and publication was established by the Senate as to SB 1607.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senators Daniel and Karl—

SB 1608—A bill to be entitled An act relating to Lake County; providing for and requiring full disclosures of financial operations of all offices, whether constitutional or otherwise including detail salary records; providing for an effective date.

Evidence of notice and publication was established by the Senate as to SB 1608.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senators Karl and Daniel—

SB 1609—A bill to be entitled An act relieving the County Council of Volusia County, its County Manager, Acting County Manager, Director of Finance, and all other officers and employees, of any and all liability with reference to a pre-audit of statements rendered by the Department of Public Welfare under Section 17(d), Chapter 69-100, Laws of Florida, General Acts of 1969, under the Medicare Program for payments for in-patient hospital services to recipients as provided in Section 409.45(2), Florida Statutes, including emergency hospitalization and payments for nursing home care to recipients as provided in Section 409.45(2) (a) (b) (c), Florida Statutes.

Evidence of notice and publication was established by the Senate as to SB 1609.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senators Daniel and Karl—

SB 1610—A bill to be entitled An act providing for the payment to each County Commissioner of Lake County, the sum of money to reimburse the County Commissioner for traveling expenses within the county, and providing for an effective date.

Evidence of notice and publication was established by the Senate as to SB 1610.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senators Daniel and Karl—

SB 1611—A bill to be entitled An act relating to Lake County providing for the acquisition by purchase, lease, gift or otherwise drainage systems consisting of pipes, culverts, pumps, motors and incidental equipment and tools necessary for the operation and management of such drainage systems; and providing for the leasing of such equipment for quasi public purposes.

Evidence of notice and publication was established by the Senate as to SB 1611.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senator Johnson (29th)—

SB 1612—A bill to be entitled An act relating to the City of Fort Pierce, St. Lucie County, amending §3, chapter 59-1292, Laws of Florida; amending (subsection (b) of §52, and) §63 of Article VI; §§24, 25, and 33 of Article III; and subsection (e) of §42 of Article IV, and subsection 9 of §14 of Article II, chapter 57-1331, all Laws of Florida; amending subsection 2 of §24 of Article III, chapter 69-1065, Laws of Florida; amending subsection (a) of §8 of chapter 65-1552, Laws of Florida; amending paragraphs (1), (2) and (3) of subsection (b) of section 47, chapter 65-1557, Laws of Florida; changing city election residence requirements with respect to newly annexed territory; authorizing service of process by certified mail with regard to the removal of buildings and nuisances; providing procedures with respect to meetings of the commission; authorizing the recording of ordinances in a binder; changing time for submission of the annual budget; requiring the city attorney to attend all commission meetings unless excused; providing for the swearing in of and assumption of duties by the municipal judge; increasing the filing fees for the offices of municipal judge, mayor-commissioner and city commissioners; providing for an associate municipal judge; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1612.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senator Johnson (29th)—

SB 1613—A bill to be entitled An act relating to Martin County; providing for the appointment of jury commissioners in said county; providing qualifications, powers, duties, functions, compensation, and official terms of said jury commissioners; providing for a clerk of the jury commissioners; providing for the selection, listing, and procurement of jurors in the county; providing filing procedures for those exempt from jury duty; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1613.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senators Johnson (29th) and Reuter—

SB 1614—A bill to be entitled An act relating to the City of Stuart, Martin County; amending §6 of chapter 16692, Laws of Florida, 1933, adding certain parcels of land to the territorial boundaries of the City of Stuart without referendum, upon the signed application or petition of the property owners; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1614.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senators Daniel and Karl—

SB 1615—A bill to be entitled An act establishing the jurisdictional amount of the small claims court in Lake county, Florida; establishing the filing fee for the small claims court in Lake county, Florida; repealing all laws or parts of laws in conflict herewith; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1615.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senators Daniel and Karl—

SB 1616—A bill to be entitled An act relating to Citrus county; providing for the validation of certain special licenses issued for the sale of intoxicating beverages in said county; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1616.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senators Daniel and Karl—

SB 1617—A bill to be entitled An act relating to the city of Daytona Beach; amending section 2 of article I, of chapter 67-1274, Laws of Florida; providing for the extension of the present boundaries of the city of Daytona Beach so as to include city-owned water well field west of the city and an easement extending thereto, and a parcel of thirty-nine (39) acres more or less (contiguous to the existing boundaries of the city of Daytona Beach) at the intersection of Beville Road and Nova Road; repealing all laws in conflict herewith; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1617.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senator Hollahan—

SB 1618—A bill to be entitled An act relating to alcoholic beverage licenses in any county having a population in excess of six hundred thousand (600,000) according to the latest official decennial census; providing for additional beverage licenses; providing an effective date.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senator Hollahan—

SB 1619—A bill to be entitled An act relating to alcoholic beverage licenses in counties of the state having a population of more than six hundred thousand (600,000) but less than nine hundred thousand (900,000) according to the latest official decennial census; providing for the repeal of Senate Bill 1618 1971, insofar as it may relate to the aforesaid population bracket; providing an effective date.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable Jerry Thomas  
President of the Senate*

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representatives Harlee and Gallen—

HB 2251—A bill to be entitled An act relating to the Palmetto Fire Control District, special assessments and charges; amending Section 7, Chapter 63-1580, Laws of Florida previously amended by Section 1, Chapter 65-1891, Laws of Florida; increasing the maximum assessment which may be levied against a business firm to \$50.00; providing for a special assessment against taxable real estate used as trailer rental space in the maximum amount of \$10.00 per rental space; providing that the Board of Commissioners may assess different trailer rental spaces in different amounts because of different usage; deleting a special assessments against trailers; including trailers owned

by the owner of the real estate upon which located within the term "dwelling"; including "modular construction residences" and "mobilehomes" with the term "trailers"; and providing that the Board of Commissioners may enter into contracts for fighting fires outside the district; and providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable Jerry Thomas*  
*President of the Senate*

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Ryals and others—

HB 2215—A bill to be entitled An act relating to county election boards; repealing chapter 22195, Laws of Florida, 1943, as amended, and as specifically repealed by 71-29, Laws of Florida, and made to become a county ordinance, to abolish the county election board in all counties of the state having a population of not less than three hundred ninety thousand (390,000) inhabitants and not more than four hundred fifty thousand (450,000) inhabitants, according to the latest official census (Hillsborough County); amending §98.381, Florida Statutes, relating to conflicting registration laws to conform with this act; transferring the assets of such election boards; providing for transfer of duties; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable Jerry Thomas*  
*President of the Senate*

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Savage and others—

HB 1755—A bill to be entitled An act relating to Pinellas county, authorizing the Board of County Commissioners of Pinellas county to expend money from the general fund of said county, ratifying prior acts of the board of county commissioners of Pinellas county expending money for drainage purposes; authorizing establishment of special drainage districts; authorizing special assessments on real property within drainage districts; providing for studies and surveys; granting power to acquire and condemn property without the boundaries of a municipality and within the boundaries of a municipality with consent; determining what provisions of the act are not exclusive; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable Jerry Thomas*  
*President of the Senate*

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representatives Hollingsworth and Shaw—

HB 1386—A bill to be entitled An act relating to Baker County, national forest fund; providing that the national forest fund for Baker County shall be distributed equally to the county school fund and to the road and bridge fund; providing the board of county commissioners may budget an amount annually equal to the amount accruing hereunder for the construction and operation of civic centers and for other purposes; authorizing construction of such centers; authorizing the issuance of bond certificates; repealing Chapters 61-1190 and 70-580 and the county ordinances into which they were converted by Chapter 71-29, Laws of Florida; providing a severability clause; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

Evidence of notice and publication was established by the Senate as to House Bills 2251, 2215, 1755 and 1386, contained in the above messages, which were read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

The Senate recessed at 8:45 a.m.

The Senate was called to order by the President at 9:00 a.m.  
A quorum present—46:

Mr. President	Deeb	Johnson (34th)	Reuter
Arnold	de la Parte	Karl	Saunders
Barron	Ducker	Knopke	Saylor
Barrow	Fincher	Lane	Scarborough
Beaufort	Gong	Lewis (33rd)	Stolzenburg
Bell	Graham	Lewis (43rd)	Trask
Bishop	Gunter	McClain	Ware
Boyd	Haverfield	Myers	Weber
Brantley	Henderson	Ott	Williams
Broxson	Hollahan	Plante	Wilson
Childers	Horne	Pope	
Daniel	Johnson (29th)	Poston	

Excused: Senators Brannen and Weissenborn.

Prayer by Senator Myers:

Our Heavenly Father, in these waning days of the session give us the patience and strength to finish our job. Help us to feel thy nearness in the business of this day—the unseen Senator, present and voting. Vote through us, we pray thee, that in our actions we may chart a courageous course for this state. Temper our deliberations with wisdom and understanding of the needs of others; and as we reach decisions on issues before us, make us ever mindful of the words of the Prophet Micah:

"All that is required of thee, is but to do justice, love mercy and walk humbly with thy God." Amen.

The Journal of May 27 was corrected and approved.

The Journal of May 19 was further corrected and approved as follows:

Page 438, counting from the bottom of column 1, line 2, strike "664" and insert: 644

The Journal of May 4 was further corrected and approved as follows:

Page 237, counting from the bottom of column 1, line 14, strike the period and insert: and read by title.

**FLOOR SESSION FOR WEEK OF MAY 31—JUNE 4, 1971**

Monday, May 31, 10:00 a.m.—12:15 p.m. and 2:00 p.m.—5:00 p.m.  
 Tuesday, June 1, 9:00 a.m.—12:00 noon and 2:00 p.m.—5:00 p.m.  
 Wednesday, June 2, 9:00 a.m.—12:00 noon and 2:00 p.m.—5:00 p.m.  
 Thursday, June 3, 9:00 a.m.—12:00 noon and 2:00 p.m.—5:00 p.m.  
 Friday, June 4, 9:00 a.m.—sine die

The Committee on Health, Welfare and Institutions recommends the following pass: SB 1481 with 1 amendment

The Committee on Universities and Community Colleges recommends the following pass: SB 910

The Committee on Ways and Means recommends the following pass:

- |                           |                           |
|---------------------------|---------------------------|
| SB 116 with 1 amendment   | SB 756 with 3 amendments  |
| SB 149 with 3 amendments  | SB 1127 with 1 amendment  |
| HM 472                    | SB 1210                   |
| HB 500 with 2 amendments  | SB 1175                   |
| SB 524 with 1 amendment   | SB 1247 with 1 amendment  |
| SB 569 with 3 amendments  | SB 1315                   |
| SB 660 with 8 amendments  | SB 1406 with 2 amendments |
| SB 736 with 10 amendments |                           |

The bills contained in the foregoing reports were placed on the Calendar.

The Committee on Governmental Efficiency recommends a Committee Substitute for SB 1380 with 2 amendments.

The Committee on Health, Welfare and Institutions recommends a Committee Substitute for the following: SB 1447

The Committee on Ways and Means recommends a Committee Substitute as recommended by the Committee on Health, Welfare and Institutions for SB 1485 with 1 amendment.

The Committee on Ways and Means recommends a Committee Substitute for SB 407.

The Committee on Ways and Means recommends a Committee Substitute for a Committee Substitute recommended by the Committee on Public Schools for SB 969.

The Committee on Ways and Means recommends a Committee Substitute as recommended by the Committee on Health, Welfare and Institutions for SB 528 with 2 amendments

The Committee on Ways and Means recommends a Committee Substitute as recommended by the Committee on Universities and Community Colleges for SB 1504.

The bills with Committee Substitutes attached contained in the foregoing reports were placed on the Calendar.

**REPORTS OF COMMITTEES**

The Committee on Rules, Calendar, Privileged Business and Ethics respectfully submits the following Special Order Calendar for Friday, May 28:

- |         |         |         |               |
|---------|---------|---------|---------------|
| HB 1243 | HB 611  | HB 728  | HB 1365       |
| HB 1598 | CS for  | HB 378  | HB 559        |
| HB 1600 | HB 986  | HB 293  | HB 560        |
| HB 800  | HB 810  | CS for  | CS for HB's   |
| SB 778  | HB 753  | HB 1255 | 706, 513, 516 |
| HB 737  | HB 1293 | HB 326  | HB 1063       |
| HB 507  | HB 360  | HB 1364 |               |

George L. Hollahan, Jr.  
 Chairman, Committee on Rules,  
 Calendar, Privileged Business and  
 Ethics

The Committee on Rules, Calendar, Privileged Business and Ethics has referred the following local bills to the local calendar:

- |         |         |         |         |
|---------|---------|---------|---------|
| SB 1590 | HB 2039 | HB 2206 | HB 2288 |
| SB 1589 | HB 2090 | HB 2207 | HB 2289 |
| HB 1144 | HB 2096 | HB 2210 | HB 2290 |
| HB 1442 | HB 2097 | HB 2211 | HB 2291 |
| HB 1485 | HB 2101 | HB 2213 | HB 2292 |
| HB 1492 | HB 2126 | HB 2216 | HB 2293 |
| HB 1499 | HB 2139 | HB 2217 | HB 2294 |
| HB 1502 | SB 1594 | HB 2222 | HB 2295 |
| HB 1517 | SB 1596 | HB 2224 | HB 2296 |
| HB 1585 | SB 1597 | HB 2225 | HB 2298 |
| HB 1622 | SB 1598 | HB 2229 | HB 2299 |
| HB 1625 | SB 1599 | HB 2232 | HB 2300 |
| HB 2099 | SB 1600 | HB 2233 | HB 2306 |
| HB 2100 | HB 646  | HB 2235 | HB 2307 |
| HB 2109 | HB 872  | HB 2237 | HB 2308 |
| HB 2110 | HB 1336 | HB 2240 | HB 2310 |
| HB 2111 | HB 1539 | HB 2241 | HB 2403 |
| HB 2118 | HB 1540 | HB 2242 | SB 1602 |
| HB 2124 | HB 1584 | HB 2243 | SB 1603 |
| HB 2130 | HB 1623 | HB 2244 | SB 1604 |
| HB 2149 | HB 1624 | HB 2246 | SB 1605 |
| HB 2169 | HB 1641 | HB 2247 | SB 1606 |
| HB 2171 | HB 1642 | HB 2248 | SB 1607 |
| HB 2177 | HB 1724 | HB 2250 | SB 1608 |
| HB 2178 | HB 1744 | HB 2252 | SB 1609 |
| HB 2180 | HB 1754 | HB 2267 | SB 1610 |
| HB 2181 | HB 2087 | HB 2268 | SB 1611 |
| HB 2200 | HB 2163 | HB 2270 | SB 1612 |
| HB 2203 | HB 2165 | HB 2272 | SB 1613 |
| HB 2204 | HB 2170 | HB 2274 | SB 1614 |
| HB 2205 | HB 2173 | HB 2275 | SB 1615 |
| HB 2249 | HB 2174 | HB 2276 | SB 1616 |
| HB 2261 | HB 2179 | HB 2278 | SB 1617 |
| HB 1478 | HB 2182 | HB 2281 | SB 1618 |
| HB 1516 | HB 2187 | HB 2282 | SB 1619 |
| HB 1745 | HB 2192 | HB 2284 | HB 2251 |
| HB 1928 | HB 2194 | HB 2285 | HB 2215 |
| HB 2010 | HB 2197 | HB 2286 | HB 1755 |
| HB 2035 | HB 2198 | HB 2287 | HB 1386 |

Respectfully submitted,  
 George L. Hollahan, Jr.  
 Chairman, Committee on Rules,  
 Calendar, Privileged Business and  
 Ethics

**ENGROSSING REPORTS**

Your Engrossing Clerk to whom was referred—

- |                          |                           |
|--------------------------|---------------------------|
| SB 324 with 3 amendments | SB 1439 with 3 amendments |
| SB 789 with 6 amendments |                           |

—reports that the Senate amendments have been incorporated and the bills are returned herewith.

ELMER O. FRIDAY  
 Secretary of the Senate

The bills were immediately certified to the House.

Your Engrossing Clerk to whom was referred SB 1296 with 1 amendment reports that the Senate amendment has been incorporated and the bill is returned herewith.

ELMER O. FRIDAY  
 Secretary of the Senate

The bill was placed on the Calendar of bills on third reading.

Your Engrossing Clerk to whom was referred—

- |                          |                          |
|--------------------------|--------------------------|
| SB 728 with 4 amendments | SB 868 with 4 amendments |
|--------------------------|--------------------------|

—reports that the Senate amendments have been incorporated and the bills are returned herewith.

ELMER O. FRIDAY  
 Secretary of the Senate

The bills were certified to the House.

## MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Poston, by two-thirds vote, House Bills 74 and 1905 were withdrawn from the Committee on Transportation and placed on the Calendar.

On motions by Senator de la Parte, by two-thirds vote, SB 1412 and CS for HB 895 were withdrawn from the Committee on Ways and Means and placed on the Calendar.

On motion by Senator Hollahan, by two-thirds vote, HB 2196 was withdrawn from the Committee on Rules, Calendar, Privileged Business and Ethics and placed on the Calendar.

Motions by Senator Poston that House Bills 24 and 1019 be withdrawn from the Committee on Transportation and placed on the Calendar failed to receive the required two-thirds vote and therefore failed of adoption.

On motion by Senator Karl, by two-thirds vote, SB 1601 was withdrawn from the Committee on Rules, Calendar, Privileged Business and Ethics and placed on the Calendar.

On motion by Senator Karl, unanimous consent was obtained to take up out of order—

SB 1601—A bill to be entitled An act relating to gubernatorial appointments; adding paragraph (e) to subsection (1) of §112.071, Florida Statutes, as amended by chapter 70-386, Laws of Florida; providing that the governor may withdraw appointments prior to senate action confirming or rejecting same; limiting the eligibility for reappointment of a person whose appointment is withdrawn during a regular legislative session; providing an effective date.

—which was read the second time by title. On motions by Senator Karl, by two-thirds vote, SB 1601 was read the third time by title, passed and, by two-thirds vote, immediately certified to the House. The vote was: Yeas—35 Nays—None

Mr. President	Childers	Johnson (29th)	Poston
Arnold	Daniel	Johnson (34th)	Reuter
Barron	de la Parte	Karl	Saunders
Beaufort	Gong	Lane	Scarborough
Bell	Graham	Lewis (33rd)	Stolzenburg
Bishop	Gunter	Lewis (43rd)	Ware
Boyd	Haverfield	McClain	Weber
Brantley	Henderson	Myers	Wilson
Broxson	Hollahan	Pope	

On motion by Senator Myers, unanimous consent was obtained to waive the requirement of Rule 3.8 that bills be delivered to the Secretary two days prior to introduction and to introduce the following:

By Senators Myers, Fincher, Gong, Lewis (43rd), Hollahan, Haverfield and Weissenborn—

SB 1620—A bill to be entitled An act relating to harbor pilots; amending §310.03, Florida Statutes, as amended by chapter 70-453, Laws of Florida; raising from eight (8) to nine (9) the number of harbor pilots authorized for the Port of Miami; providing an effective date.

—which was read the first time by title.

On motion by Senator Hollahan, Rule 4.4 was waived and SB 1620 was placed on the Calendar notwithstanding the fact the session is in its last thirty days.

On motion by Senator Myers, unanimous consent was obtained to take up SB 1620 out of order. On motions by Senator Myers, by two-thirds vote, SB 1620 was read the second time by title, and by two-thirds vote, the third time by title, passed and certified to the House. The vote was: Yeas—36 Nays—None

Mr. President	Daniel	Hollahan	Pope
Arnold	Deeb	Johnson (29th)	Poston
Barron	de la Parte	Johnson (34th)	Reuter
Beaufort	Ducker	Karl	Saunders
Bishop	Gong	Knopke	Saylor
Boyd	Graham	Lewis (33rd)	Scarborough
Brantley	Gunter	Lewis (43rd)	Ware
Broxson	Haverfield	McClain	Wilson
Childers	Henderson	Myers	

On motion by Senator Hollahan, the Senate proceeded to the consideration of—

## EXECUTIVE BUSINESS

By direction of the President, the Secretary read the following communication and order:

May 27, 1971

## REGISTERED—RETURN RECEIPT REQUESTED

Honorable Don R. Watson  
Post Office Box 339  
Monticello, Florida

Dear Mr. Watson:

Pursuant to the provisions of Chapter 69-277, Laws of Florida, we are sending you by registered mail, Order of Suspension dated May 27, 1971.

With kind regards, I remain

Cordially,  
RICHARD (DICK) STONE  
Secretary of State  
By (Mrs.) Dorothy W. Glisson  
Director  
Division of Elections

## EXECUTIVE ORDER NUMBER 70-35

## ORDER OF SUSPENSION OF SHERIFF DON R. WATSON

WHEREAS, DON R. WATSON is presently serving as Sheriff of Jefferson County, Florida, and

WHEREAS, Don R. Watson is a county officer within the meaning of Section 7, Article IV, Florida Constitution (1968), and

WHEREAS, pursuant to the Constitution and laws of the State of Florida the Governor caused an investigation to be made of certain complaints received from the citizens of Jefferson County concerning the conduct of the said Don R. Watson as Sheriff, and

WHEREAS, based upon this investigation, I find that it is in the best interest of the citizens of the State of Florida that the said Don R. Watson be suspended from the County Office which he now holds;

NOW, THEREFORE, I, REUBIN O'D. ASKEW, Governor pursuant to the Constitution and laws of the State of Florida, do hereby find, determine, and for the purposes of Section 112.41, Florida Statutes, allege:

1. That Don R. Watson is and, at all times material hereto, was a county officer of the County of Jefferson, to-wit: the elected Sheriff of Jefferson County, Florida.

2. That on the 25th day of May, A.D. 1971, the Grand Jurors of the State of Florida empaneled and sworn in and for Jefferson County, Florida, in the name and by the authority of the State of Florida, returned two true Bills against, and did thus indict, the said Don R. Watson for crimes against the State of Florida as set forth and alleged in the Indictments. True copies of the Indictments are attached hereto and the findings and allegations contained therein are made a part hereof.

3. That during the period from January 1, 1970 to May 25, 1971, the said Don R. Watson as Sheriff of Jefferson County did, in Jefferson County, Florida, commit the common law offenses of malfeasance, misfeasance, or nonfeasance in violation of 775.01, et. seq. Florida Statutes, in that . . .

A. On or about January 1, 1971, the said Don R. Watson failed to take official action as the chief law enforcement officer of Jefferson County, Florida by failing or refusing to arrest one Robert Key for unlawfully operating a motor vehicle without a valid driver's license.

B. On or about March 31, 1971 the said Don R. Watson did willfully and corruptly pay or cause to be paid county funds of Jefferson County, Florida, to-wit the sum of \$250.00, United States currency, to one Bobbie Jones, allegedly for services performed by the said Bobbie Jones for the Sheriff's Office of Jefferson County, Florida, when in truth and in fact the said Bobbie Jones was not entitled to such funds or payments and had not performed services for the Sheriff's Office or for Jefferson County, Florida.

C. On or about April 15, 1971 the said Don R. Watson did willfully and corruptly pay or cause to be paid county funds of Jefferson County, Florida, to-wit: the sum of \$250.00, United States currency, to one Bobbie Jones, allegedly for services performed by the said Bobbie Jones for the Sheriff's Office of Jefferson County, Florida, when in truth and fact the said Bobbie Jones was not entitled to such funds or payments and had not performed services for the said Sheriff's Office or for Jefferson County, Florida.

D. That at a time or times during the period from May 15, 1970, to May 1, 1971, the said Don R. Watson willfully and corruptly used county equipment and county gasoline, the property of Jefferson County, Florida, for his personal use in going to and from the Sheriff's Office in Jefferson County, Florida to the location of the business of said Don R. Watson, "Dunkin' Doughnuts", located on North Monroe Street, Tallahassee, Leon County, Florida.

E. That at a time or times during the period from January 1, 1971 to April 29, 1971, the said Don R. Watson willfully and corruptly used the labor of one Robert Key, a county prisoner in custody of the said Don R. Watson as Sheriff of Jefferson County, Florida, for the personal use and benefit of the said Don R. Watson.

F. That during the period from on or about March 16, 1971, to April 29, 1971, the said Don R. Watson willfully and corruptly neglected his duty as Sheriff in that he absented himself from Jefferson County, Florida, and his duties of Sheriff of said County and did establish a residence at 2037 Greenwood Drive, Tallahassee, Leon County, Florida.

4. That on or about August 15, 1970, in Jefferson County, Florida the said Don R. Watson and one Harvey Reams had in their possession, custody, or control a still, piping and still apparatus designed or adapted for the manufacture of alcoholic beverages containing more than one percent of alcohol by weight, and being then and there not a licensee under the beverage laws of the State of Florida to manufacture such alcoholic beverages, contrary to 562.21(1), Florida Statutes.

5. That on or about August 15, 1970 in Jefferson County, Florida, the said Don R. Watson and Harvey Reams did remove, deposit, or conceal, or was concerned in the removing, depositing or concealing of an alcoholic beverage, to-wit, moonshine whiskey, for or in respect to which a tax would be imposed if such beverage or manufacture were brought into the State of Florida, with intent to defraud the State of Florida of such tax, and contrary to Section 562.32, Florida Statutes.

6. On or about August 15, 1970, in Jefferson County, Florida, the said Don R. Watson and Harvey Reams did knowingly, unlawfully and feloniously agree, conspire, combine or confederate, one with the other, and with Harmon Cook, Jimmy Cook, and James Tyner, the crimes alleged in paragraphs "4" and "5" hereof, contrary to Section 833.04, Florida Statutes.

7. That the charges set forth in the above paragraphs result from action or conduct of the said Don R. Watson arising directly or indirectly out of or pertaining to his official conduct or duties as Sheriff of Jefferson County, Florida.

8. That the aforesaid charges constitute malfeasance, misfeasance, neglect of duty or commission of a felony by the said Don R. Watson.

9. That the interest of the citizens of Jefferson County, Florida and the State of Florida would best be served by the immediate suspension of the said Don R. Watson as Sheriff of said County.

Being fully advised in the premises and in accordance with the Constitution and laws of the State of Florida, it is hereby—

ORDERED that Don R. Watson be, and he is hereby suspended as and from the Office of Sheriff of Jefferson County, Florida, which office he now holds, and it is . . .

FURTHER ORDERED that said Don R. Watson be and he is prohibited from performing any official act, duty or function of the Office of Sheriff of Jefferson County, Florida, from receiving any pay or allowances, and from being entitled to any of the emoluments or privileges of county office during the period of this suspension, which period shall be from 12:01 A.M., May 27, 1971 until further executive order or as provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capitol, this 27th day of May, A.D. 1971.

REUBIN O'D. ASKEW  
Governor

ATTEST:

RICHARD (DICK) STONE  
Secretary of State

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT, IN AND FOR JEFFERSON COUNTY, FLORIDA. SPRING TERM IN THE YEAR OF OUR LORD ONE THOUSAND NINE HUNDRED AND SEVENTY-ONE.

THE STATE OF FLORIDA  
—VS—  
DON R. WATSON

INDICTMENT FOR MALFEASANCE, MISFEASANCE AND NONFEASANCE

IN THE NAME OF AND BY THE AUTHORITY OF THE STATE OF FLORIDA:

The Grand Jurors of the State of Florida empaneled and sworn to inquire and true presentment make in and for the body of the County of Jefferson, upon their oaths, do present that

DON R. WATSON

late of the County of Jefferson and State of Florida, in the County and State aforesaid, during the year 1970 and during the year 1971 to date, in Jefferson County, Florida, was the duly qualified and elected Sheriff of Jefferson County, Florida, that the said Don R. Watson did commit common law malfeasance, misfeasance and nonfeasance in violation of Section 775.01, Florida Statutes, in that:

1. The said Don R. Watson (sic) failed to take official action as chief law enforcement officer of Jefferson County, Florida, on or about January 1, 1971, by failing to arrest one Robert Key for unlawfully operating a motor vehicle without a valid drivers license.

2. The said Don R. Watson did wilfully and corruptly pay or cause to be paid County funds of Jefferson County, Florida, to-wit: the sum of \$250.00, United States currency to one Robbie Jones on or about March 31, 1971, allegedly for services performed by the said Robbie Jones for the Sheriff's office of Jefferson County, Florida, when in truth and in fact the the said Robbie Jones was not entitled to such pay and had not performed such services for said Sheriff's office or for Jefferson County, Florida.

3. The said Don R. Watson did wilfully and corruptly pay or cause to be paid County funds of Jefferson County, Florida,

to-wit: the sum of \$250.00, United States currency, to one Robbie Jones on or about April 15, 1971, allegedly for services performed by the said Robbie Jones for the Sheriff's office of Jefferson County, Florida, when in truth and in fact the said Robbie Jones was not entitled to such pay and had not performed such services for said Sheriff's office or for Jefferson County, Florida.

4. The said Don R. Watson wilfully and corruptly used County equipment and County gas, the property of Jefferson County, Florida, for his personal use in going to and from the Sheriff's office to the location of the business of the said Don R. Watson "Dunkin Donuts" located on North Monroe Street in Tallahassee, Florida, between the dates of May 15, 1970 to May 1, 1971.

5. The said Don R. Watson wilfully and corruptly used the labor of one Robert Key a County prisoner in the custody of the said Don R. Watson as Sheriff of Jefferson County, Florida, for the personal use and benefit of the said Don R. Watson between the dates of January 1, 1971 and April 29, 1971.

6. The said Don R. Watson absented himself from Jefferson County, Florida, and his duty of Sheriff of said County and established residence at 2037 Greenwood Drive, Tallahassee, Leon County, Florida, between the dates of March 16, 1971 and April 29, 1971 and wilfully and corruptly neglected his duty as Sheriff during such period.

**WILLIAM D. HOPKINS**  
AS STATE ATTORNEY, SECOND JUDICIAL  
CIRCUIT OF FLORIDA, IN AND FOR JEF-  
FERSON COUNTY, PROSECUTING FOR SAID  
STATE.

CERTIFIED TRUE AND CORRECT COPY  
**ELEANOR B. HAWKINS**  
Clerk Circuit Court  
Jefferson County, Florida  
By .....D.C.

In the Circuit Court of the Second Judicial Circuit of the State  
of Florida in and for  
**JEFFERSON County**  
**SPRING Term, 1971**

**THE STATE OF FLORIDA**

**VS.**

**DON R. WATSON**

**INDICTMENT FOR**

**MALFEASANCE, MISFEASANCE AND NONFEASANCE**

**A TRUE BILL**

**JOHN TRIMBLE**  
Foreman of the Grand Jury

**WITNESSES FOR THE STATE**

Wallace R. Blount  
Florida Highway Patrol  
Mrs. Morgan  
Robert Key  
T. J. Bondurant

This is to certify that the undersigned, as State Attorney, as authorized and required by law, has advised the Grand Jury returning this Indictment.

**WILLIAM D. HOPKINS**  
AS STATE ATTORNEY, SECOND JUDICIAL  
CIRCUIT OF FLORIDA, IN AND FOR JEF-  
FERSON COUNTY.

Presented in open Court by the Grand Jury and filed this 25th day of May 1971

**ELEANOR B. HAWKINS**  
Clerk Circuit Court

By .....  
Deputy Clerk

**WILLIAM D. HOPKINS**  
State Attorney

IN THE CIRCUIT COURT OF THE SECOND  
JUDICIAL CIRCUIT, IN AND FOR JEFFER-  
SON COUNTY, FLORIDA, SPRING TERM, IN  
THE YEAR OF OUR LORD ONE THOUSAND  
NINE HUNDRED AND SEVENTY ONE.

STATE OF FLORIDA  
—vs—  
DON R. WATSON AND  
HARVEY REAMS

INDICTMENT FOR POSSESSION OF STILL  
APPARATUS—REMOVING, DEPOSITING OR  
CONCEALING MOONSHINE WHISKEY—  
CONSPIRACY

IN THE NAME OF AND BY THE AUTHORITY OF THE  
STATE OF FLORIDA:

The Grand Jurors of the State of Florida empaneled and sworn to inquire and true presentment make in and for the body of the County of Jefferson, upon their oaths, do present that

**DON R. WATSON AND HARVEY REAMS**

late of the County of Jefferson and State of Florida, on or about the 15th day of August in the Year of Our Lord Nineteen Hundred and Seventy, did then and there have in their possession, custody, or control a still, piping and still apparatus designed or adapted for the manufacture of an alcoholic beverage containing more than one per cent of alcohol by weight, and being then and there not a licensee under the beverage laws of the State of Florida to manufacture such alcoholic beverage, contrary to Section 562.27 (1), Florida Statutes.

**COUNT II**

And the Jurors aforesaid, upon their oaths aforesaid, do further present and say that **DON R. WATSON AND HARVEY REAMS**, late of the County of Jefferson, in the Circuit and State aforesaid, on the 15th day of August, in the Year of our Lord Nineteen Hundred and Seventy, in the County and State aforesaid, did remove, deposit or conceal, or was concerned in the removing, depositing or concealing a beverage, to-wit: moonshine whiskey, for or in respect whereof a tax would be imposed if such beverage or manufacture were brought into this state in accordance with the regulatory provisions thereof with intent to defraud the State of such tax, contrary to Section 562.32, Florida Statutes.

**COUNT III**

And the Jurors aforesaid, upon their oaths aforesaid, do further present and say that **DON R. WATSON and HARVEY REAMS**, late of the County of Jefferson, in the Circuit and State aforesaid, on or about the 15th day of August in the Year of our Lord Nineteen Hundred and Seventy, in the County and State aforesaid, did knowingly, unlawfully and feloniously agree, conspire, combine or confederate, one with the other, and with Harmon Cook, Jimmy Cook and James Tyner the crimes alleged in counts one and two to do and commit.

Contrary to Section 833.04, Florida Statutes.

**WILLIAM D. HOPKINS**  
AS STATE ATTORNEY, SECOND JUDICIAL  
CIRCUIT OF FLORIDA, IN AND FOR JEF-  
FERSON COUNTY, PROSECUTING FOR SAID  
STATE.

CERTIFIED TRUE AND CORRECT COPY  
**ELEANOR B. HAWKINS**  
Clerk Circuit Court  
Jefferson County, Florida  
By .....D.C.

In the Circuit Court of the Second Judicial Circuit of the State of Florida in and for

JEFFERSON County  
 SPRING Term, 1971

THE STATE OF FLORIDA  
 VS.

DON R. WATSON AND HARVEY REAMS

INDICTMENT FOR

POSSESSION OF STILL APPARATUS—REMOVING, DEPOSITING OR CONCEALING MOONSHINE WHISKEY—CONSPIRACY

A TRUE BILL

JOHN TRIMBLE  
 Foreman of the Grand Jury

WITNESSES FOR THE STATE

Members of Grand Jury

R. B. Shuman  
 Harmon H. Cook  
 Jimmy Cook  
 George Franklin Floyd, III  
 T. J. Bondurant

This is to certify that the undersigned, as State Attorney, as authorized and required by law, has advised the Grand Jury returning this Indictment.

WILLIAM D. HOPKINS  
 AS STATE ATTORNEY, SECOND JUDICIAL CIRCUIT OF FLORIDA, IN AND FOR JEFFERSON COUNTY.

Bond set at \$1,000 each.

Presented in open Court by the Grand Jury and filed this 25th day of May 1971

ELEANOR B. HAWKINS  
 Clerk Circuit Court

By \_\_\_\_\_  
 Deputy Clerk

WILLIAM D. HOPKINS  
 State Attorney

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT, IN AND FOR JEFFERSON COUNTY, FLORIDA.

It appearing that the present Sheriff in and for Jefferson County, Florida, has been Indicted by the attached Indictment and that it is improper for him or either of his duly authorized deputies to serve or execute process issued under or pursuant to said Indictment, it is therefore

ORDERED that E. S. Blair, Constable in and for district 6 and 6-A, Jefferson County, Florida, be and he is hereby appointed Elisor to serve and execute all process issued pursuant to or as a result of the return of said Indictment.

DONE AND ORDERED at Monticello, Jefferson County, Florida, this the 25th day of May, 1971.

W. MAY WALKER  
 Circuit Judge

CERTIFIED TRUE AND CORRECT COPY  
 ELEANOR B. HAWKINS  
 Clerk Circuit Court  
 Jefferson County, Florida  
 By \_\_\_\_\_ D.C.

—which were referred to the Select Committee on Executive Suspensions.

INTRODUCTION

On motion by Senator Pope, unanimous consent was obtained to introduce the following:

By Senators Pope, Scarborough, Brantley, Beaufort and Arnold—

SB 1621—A bill to be entitled An act relating to Union County and the Union County hospital district; supplementing chapter 67-2142, Laws of Florida, Special Acts of 1967; authorizing the Board of County Commissioners of Union County to issue certificates of indebtedness payable from race track funds and jai alai fronton funds accruing annually to Union County to provide the initial operating capital for the new hospital facilities of the district; and providing an effective date.

—which was read the first time by title and on motion by Senator Pope, by two-thirds vote, placed on the Calendar.

On motion by Senator Pope, unanimous consent was obtained to take up SB 1621 out of order. On motions by Senator Pope, by two-thirds vote, SB 1621 was read the second time by title, and by two-thirds vote, the third time by title, passed and certified to the House. The vote was: Yeas—36 Nays—None

Mr. President	Childers	Hollahan	Myers
Arnold	Daniel	Johnson (29th)	Pope
Barron	de la Parte	Johnson (34th)	Poston
Beaufort	Ducker	Karl	Reuter
Bell	Gong	Knopke	Saunders
Bishop	Graham	Lane	Scarborough
Boyd	Gunter	Lewis (33rd)	Stolzenburg
Brantley	Haverfield	Lewis (43rd)	Ware
Broxson	Henderson	McClain	Wilson

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Jerry Thomas  
 President of the Senate  
 May 28, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

SB 409                      SB 478                      SB 176                      SB 1211

Respectfully,  
 ALLEN MORRIS  
 Clerk, House of Representatives

The bills, contained in the above message, were ordered enrolled.

The Honorable Jerry Thomas  
 President of the Senate  
 May 27, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendments and has passed as amended—

CS for HB's 501 and 458                      HB 532  
 HB 364    HB 1360

Respectfully,  
 ALLEN MORRIS  
 Clerk, House of Representatives

The Honorable Jerry Thomas  
 President of the Senate  
 May 27, 1971

Sir:

I am directed to inform the Senate that the Speaker of the House of Representatives has appointed Representatives Gautier, Harlee and Tobiassen as House conferees on SB 625.

Respectfully,  
 ALLEN MORRIS  
 Clerk, House of Representatives

*The Honorable Jerry Thomas*  
*President of the Senate*

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed with amendment—

By Senator Myers—

SB 169—A bill to be entitled An act relating to the bureau of alcoholic rehabilitation; amending section 396.121, Florida Statutes, providing authority in the bureau to make expenditures for grants to, and contract for services with, any governmental units and any public or private facility, agency or entity having available approved treatment or educational programs relating to alcoholism; providing an effective date.

Which amendment reads as follows:

On page 2, lines 18 and 19, strike all of Section 2 and insert the following: Section 2. This act shall take effect on September 1, 1971.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

On motion by Senator Bishop, the Senate concurred in the House amendment to SB 169.

SB 169 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—37 Nays—None

Mr. President	Daniel	Johnson (34th)	Reuter
Arnold	de la Parte	Karl	Saunders
Barron	Ducker	Knopke	Saylor
Beaufort	Gong	Lane	Scarborough
Bell	Graham	Lewis (33rd)	Stolzenburg
Bishop	Gunter	Lewis (43rd)	Ware
Boyd	Haverfield	McClain	Wilson
Brantley	Henderson	Myers	
Broxson	Hollahan	Pope	
Childers	Johnson (29th)	Poston	

*The Honorable Jerry Thomas*  
*President of the Senate*

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed with amendments—

By Senator Haverfield and others—

SB 292—A bill to be entitled An act relating to state universities; requiring faculty members to teach not less than twelve (12) classroom contact hours per week; providing exemptions; providing definitions; providing an effective date.

Amendment 1

On page 1, line 22, following the word "full-time" insert the following: teaching

Amendment 2

On page 1, line 26, strike "any faculty" and on page 1 strike all of lines 27 through 30, on page 2, strike all of lines 1 through 7 and on line 8, strike "per week." and insert the following: the required classroom contact hours per week may be reduced in direct proportion to specific duties and responsibilities assigned the faculty member by his departmental chairman or other appropriate college administrator, such specific duties to include specific research duties, or specific duties associated with developing television, video tape, or other specifically assigned innovative teaching techniques or

devices, or assigned responsibility for off campus student internship or work study programs.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

On motion by Senator Haverfield, the Senate concurred in House amendment 1 to SB 292.

Senators Haverfield and Graham offered the following amendment to House amendment 2 to SB 292 which was moved by Senator Graham:

Line 8 of the amendment after the words "study programs." insert: Provided, however, colleges of medicine and law, which are required for purposes of accreditation to meet national standards proscribed by the American Medical Association and the American Bar Association shall be exempt from the provisions of this act to the extent that the requirements of this act differ from the requirements of accreditation.

On motion by Senator Haverfield, further consideration of SB 292, together with pending amendment to House amendment 2 was deferred.

*The Honorable Jerry Thomas*  
*President of the Senate*

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed with amendments—

By the Committee on Commerce—

SB 433—A bill to be entitled An act relating to nonpublic colleges; creating a state board of independent colleges and universities; prescribing powers and duties of board; assigning certain powers to state board of education; providing for licensing of certain schools and their agents; fixing fees, creating the independent colleges and universities service trust fund; providing penalties; providing an effective date.

Amendment 1

On page 8, line 1, strike "funds" and insert the following: fees

Amendment 2

On page 12, line 19, strike lines 19 - 29 and on page 13 strike lines 1 - 8 (Renumber remaining sections accordingly.)

Amendment 3

On page 4, between lines 8 and 9, insert the following: (g) Colleges whose credits and/or degrees are accepted for credit by at least three (3) accredited institutions of higher learning.

Amendment 4

In title, line 12, strike "providing penalties;"

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

On motions by Senator Karl, the Senate concurred in the House amendments to SB 433.

SB 433 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—41 Nays—None

Mr. President	Deeb	Johnson (34th)	Saunders
Arnold	de la Parte	Karl	Sayler
Barrow	Ducker	Knopke	Scarborough
Beaufort	Fincher	Lane	Stolzenburg
Bell	Graham	Lewis (33rd)	Trask
Bishop	Gunter	Lewis (43rd)	Ware
Boyd	Haverfield	McClain	Weber
Brantley	Henderson	Myers	Wilson
Broxson	Hollahan	Plante	
Childers	Horne	Poston	
Daniel	Johnson (29th)	Reuter	

*The Honorable Jerry Thomas*  
*President of the Senate*  
 Sir:

May 28, 1971

I am directed to inform the Senate that the Speaker of the House of Representatives has granted the request of the Senate and has appointed Representatives Danahy, Sessums and Reeves as House conferees on HB 1008.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable Jerry Thomas* May 27, 1971  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate amendments to—

By the Committee on Agriculture & Citrus and Representative Tillman—

HB 798—A bill to be entitled An act relating to poultry; providing definitions; requiring poultry producers, egg producers, and poultry hatcheries to provide for the sanitary disposal of dead birds and hatchery residue; prescribing powers and duties of the department of agriculture and consumer services; providing a penalty; providing an effective date.

Amendment 1

On page 2, lines 1 and 2, section 2, strike “business in this state shall provide on its premises for the sanitary disposal of birds which die from” and insert the following: business in this state shall provide on its premises if not prohibited by municipal or county ordinances or special acts

Amendment 2

On page 3, between lines 2 and 3, add a new section 4 as follows: Section 4. Effective July 1, 1972 section 583.07, Florida Statutes and subsection (4) of section 583.18, Florida Statutes are repealed. Renumber present sections 4 and 5 to 5 and 6

Amendment 3

On page 1, line 9, in Title, following the word residue; insert the following: repealing section 583.07 and subsection (4) of section 583.18, Florida Statutes effective July 1, 1972;

—and requests the Senate to recede therefrom.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

On motions by Senator Daniel, the Senate receded from the Senate amendments to HB 798.

On motion by Senator Daniel, HB 798 was read by title, passed and certified to the House. The vote was:

Yeas—39

Mr. President	de la Parte	Johnson (34th)	Reuter
Arnold	Ducker	Karl	Saunders
Beaufort	Fincher	Knopke	Sayler
Bell	Gong	Lane	Scarborough
Bishop	Graham	Lewis (33rd)	Stolzenburg
Brantley	Gunter	Lewis (43rd)	Trask
Broxson	Haverfield	McClain	Ware
Childers	Henderson	Myers	Weber
Daniel	Horne	Plante	Wilson
Deeb	Johnson (29th)	Poston	

Nays—1

Barrow

By unanimous consent Senator Boyd was recorded as voting yea.

*The Honorable Jerry Thomas* May 28, 1971  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has returned as requested—

By Representatives Miers and Tucker—

HB 2—A bill to be entitled An act relating to the Florida highway patrol, disability pensions; amending section 321.20 (2), Florida Statutes, to provide an alternate method of determining total disability pensions; providing an effective date.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

On motion by Senator Horne, the rules were waived and the Senate immediately reconsidered the vote by which HB 2 as amended, contained in the above message, passed on May 25.

On motion by Senator Horne, the rules were waived and the Senate immediately reconsidered the vote by which the amendment to HB 2 was adopted on May 25.

By permission, Senator Horne withdrew the amendment.

On motion by Senator Horne the following amendment was adopted by two-thirds vote:

On page 2, lines 12 and 13, strike lines 12 and 13 and insert: Section 2. Subsection (4) of section 321.17, Florida Statutes, is amended to read:

*(Substantial rewording of subsection. See §321.17(4) F. S., for present text.)*

321.17 Contributions; leaving patrol; leave of absence; transferees.—

(4) Members who have served in the nation’s armed services and return to service with the Florida highway patrol shall be given full service credit for such time; providing that a contribution be made not to exceed five (5) years into the highway patrol pension trust fund in an amount equal to that which would have been contributed had such remained in the service of the patrol.

Section 3. This act shall take effect September 1, 1971.

On motion by Senator Horne the following amendment was adopted by two-thirds vote:

On page 1, line 9, strike line 9 and insert: amending §321.17(4), Florida Statutes, to provide full service credit for persons returning to service with the Florida highway patrol from the armed forces; providing an effective date.

On motion by Senator Horne, HB 2 as further amended was read by title, passed and, by two-thirds vote, immediately certified to the House. The vote was: Yeas—41 Nays—None

Mr. President	Bishop	Daniel	Graham
Arnold	Boyd	Deeb	Gunter
Barrow	Brantley	Ducker	Haverfield
Beaufort	Broxson	Fincher	Henderson
Bell	Childers	Gong	Hollahan

Horne	Lewis (33rd)	Reuter	Ware
Johnson (29th)	Lewis (43rd)	Saunders	Weber
Johnson (34th)	McClain	Sayler	Wilson
Karl	Myers	Scarborough	
Knopke	Plante	Stolzenburg	
Lane	Poston	Trask	

Senator Saunders moved that the Senate reconsider the vote by which SB 1032 failed to pass on May 27.

Senator Saunders moved that the rules be waived and SB 1429 be withdrawn from the Committee on Commerce. The motion failed.

#### MATTERS ON RECONSIDERATION

The motion by Senator McClain on May 27 that the Senate reconsider the vote by which—

**SB 1023**—A bill to be entitled An act relating to county judges; amending §44.12(1), Florida Statutes, as amended by chapter 70-454, Laws of Florida; requiring certain county judges to devote full time to the duties of the office of county judge; establishing the compensation of the several county judges of Florida; repealing subsections (3) and (4) of section 44.12, Florida Statutes; providing for the compensation of the judge of the Court of Record of Alachua county and the solicitor thereof; providing an effective date.

—passed as amended on May 26 was taken up and adopted; and the Senate reconsidered by the following vote:

#### Yeas—22

Mr. President	Childers	Johnson (29th)	Scarborough
Arnold	de la Parte	Johnson (34th)	Stolzenburg
Barrow	Fincher	Lane	Trask
Bell	Graham	Lewis (33rd)	Weber
Bishop	Henderson	McClain	
Boyd	Hollahan	Poston	

#### Nays—13

Daniel	Haverfield	Reuter	Wilson
Deeb	Horne	Saunders	
Ducker	Knopke	Sayler	
Gunter	Plante	Ware	

On motion by Senator McClain, the rules were waived and the Senate reconsidered the vote by which SB 1023 as amended was placed on third reading.

On motions by Senator Barrow, the rules were waived and the Senate reconsidered the votes by which amendments 1, 2, 3, 5, 6 and 7 to SB 1023 were adopted on May 26. The motions were adopted by the following vote:

#### Yeas—26

Mr. President	Broxson	Johnson (29th)	Ott
Arnold	Childers	Knopke	Poston
Barron	Daniel	Lane	Stolzenburg
Barrow	de la Parte	Lewis (33rd)	Weber
Beaufort	Graham	Lewis (43rd)	Williams
Bishop	Hollahan	McClain	
Brantley	Horne	Myers	

#### Nays—15

Bell	Gunter	Plante	Trask
Deeb	Henderson	Pope	Ware
Ducker	Johnson (34th)	Saunders	Wilson
Gong	Karl	Sayler	

By unanimous consent Senator Boyd was recorded as voting nay.

The question recurred on the adoption of amendments 1, 2, 3, 5, 6 and 7 to SB 1023 and the amendments failed.

Senators Johnson (29th) and Reuter offered the following amendment which was adopted on motion by Senator Johnson (29th):

On page 3, line 10, strike "\$19,000" and insert: \$22,500

On page 3, line 7, strike "\$19,000" and insert: \$21,000

On motion by Senator Daniel the following amendment was adopted:

On page 2, line 1, section 3, strike Section 3 and renumber subsequent sections

On motion by Senator Johnson (29th) the following amendment was adopted:

In title, lines 7 and 8, strike "county judge of Martin County;" and insert: county judges of Martin, St. Lucie and Indian River Counties;

On motion by Senator McClain, SB 1023 as amended was read by title.

On motion by Senator Daniel, debate was limited to 2 minutes.

Senator Ware moved that consideration of SB 1023 as amended be temporarily deferred. The motion failed by the following vote:

#### Yeas—18

Arnold	Fincher	Lewis (43rd)	Sayler
Bishop	Henderson	McClain	Trask
Brantley	Hollahan	Myers	Ware
Deeb	Johnson (34th)	Pope	
Ducker	Lane	Saunders	

#### Nays—21

Mr. President	Childers	Johnson (29th)	Scarborough
Barron	Daniel	Karl	Stolzenburg
Barrow	Gong	Lewis (33rd)	Williams
Beaufort	Graham	Ott	
Bell	Gunter	Plante	
Boyd	Haverfield	Poston	

SB 1023 as amended passed and was ordered engrossed. The vote was:

#### Yeas—21

Arnold	Deeb	Karl	Trask
Bell	Gong	Lewis (33rd)	Williams
Bishop	Gunter	Lewis (43rd)	Wilson
Boyd	Haverfield	Myers	
Brantley	Hollahan	Plante	
Daniel	Johnson (29th)	Scarborough	

#### Nays—19

Mr. President	Ducker	Lane	Sayler
Barron	Fincher	McClain	Stolzenburg
Barrow	Graham	Ott	Ware
Beaufort	Henderson	Pope	Weber
Childers	Knopke	Poston	

By unanimous consent, Senator Reuter was recorded as voting yea; Senator Beaufort changed his vote from nay to yea.

On motion by Senator Johnson (29th) the rules were waived and SB 1023 was ordered immediately certified to the House, after engrossing.

The motion by Senator Plante to reconsider the vote by which SB 1241 as amended passed May 27 was not taken up and therefore considered abandoned. The bill was ordered engrossed.

Pursuant to Rule 4.14, Senator Daniel gave notice of intention to move to take up SB 1394 out of order.

On motion by Senator Brantley, unanimous consent was obtained to take up out of order—

**HB 2196**—A bill to be entitled An act amending section 7.403 of the charter of the City of Jacksonville, being chapter

67-1320, Laws of Florida, as amended, so as to convert the public health division of the health, welfare and bio-environmental services department into and to establish same as a full-time local health unit under the provisions of chapter 154, Florida Statutes, with certain modifications; preserving and setting forth the rights of present personnel of said division who are under the civil service and pension system of said city and providing for those who may elect to become members of the state career service system; providing an effective date.

—which was read the second time by title. On motion by Senator Brantley, by two-thirds vote, HB 2196 was read the third time by title, passed and certified to the House. The vote was: Yeas—34 Nays—None

Mr. President	Deeb	Hollahan	Plante
Arnold	de la Parte	Johnson (29th)	Pope
Barrow	Ducker	Johnson (34th)	Poston
Beaufort	Fincher	Karl	Saunders
Bell	Gong	Knopke	Scarborough
Bishop	Graham	Lane	Trask
Boyd	Gunter	Lewis (43rd)	Wilson
Brantley	Haverfield	Myers	
Childers	Henderson	Ott	

**SPECIAL ORDER**

HB 1243—A bill to be entitled An act relating to citrus; amending §601.28, Florida Statutes, relating to inspection fees on citrus fruits and processed citrus products; providing an appropriation; creating §601.281, Florida Statutes, relating to road guard fees, to modify the procedure for the disposition of said fees; providing an appropriation; repealing §601.30, Florida Statutes, relating to inspection fees; amending §601.59(3), Florida Statutes, providing an appropriation; creating §601.671, Florida Statutes, relating to the appropriation of fines collected; adding a new subsection to §601.03, Florida Statutes, defining the department of agriculture and consumer services; directing the statutory revision service to make appropriate changes in terminology; providing an effective date.

Was read the second time by title. On motion by Senator Bishop, by two-thirds vote HB 1243 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Horne	Plante
Arnold	Deeb	Johnson (29th)	Poston
Barron	de la Parte	Johnson (34th)	Saunders
Barrow	Ducker	Karl	Scarborough
Beaufort	Gong	Knopke	Stolzenburg
Bell	Graham	Lane	Trask
Bishop	Gunter	Lewis (43rd)	Weber
Boyd	Haverfield	McClain	Williams
Brantley	Henderson	Myers	Wilson
Childers	Hollahan	Ott	

By unanimous consent Senators Reuter, Broxson and Lewis (33rd) were recorded as voting yea.

SB 416 was laid on the table.

HB 1598—A bill to be entitled An act relating to citrus; creating §601.157, Florida Statutes; imposing an additional tax on grapefruit grown in this state and sold or delivered for processing; creating the processed grapefruit rebate fund and the processed grapefruit advertising fund within the citrus advertising trust fund for deposit of said tax moneys and providing for disposition of said funds; defining advertising; amending §601.151, Florida Statutes; imposing an additional tax on tangerines; providing for an appropriation; redefining the term "advertising" to include any advertising approved by the department of citrus; amending §601.52, Florida Statutes; prohibiting the shipment of processed citrus products without accompanying evidence of payment of the taxes, assessments, and fees imposed by chapter 601, Florida Statutes; repealing §601.15(7)(e), Florida Statutes, which created the processed grapefruit products brand advertising fund within the citrus adver-

tising trust fund and provided for its disposition; providing an effective date.

Was read the second time by title. On motion by Senator Bishop, by two-thirds vote HB 1598 was read the third time by title, passed and certified to the House. The vote was:

Yeas—38

Mr. President	Childers	Hollahan	Plante
Arnold	Daniel	Johnson (29th)	Poston
Barron	Deeb	Johnson (34th)	Scarborough
Barrow	de la Parte	Karl	Trask
Beaufort	Ducker	Knopke	Ware
Bell	Gong	Lane	Weber
Bishop	Graham	Lewis (43rd)	Williams
Boyd	Gunter	McClain	Wilson
Brantley	Haverfield	Myers	
Broxson	Henderson	Ott	

Nays—1

Stolzenburg

By unanimous consent Senators Reuter, Lewis (33rd) and Horne were recorded as voting yea.

SB 417 was laid on the table.

HB 1600—A bill to be entitled An act relating to citrus; amending §601.03(40), Florida Statutes, to redefine citrus hybrids; adding subsection (3) to §601.9910, Florida Statutes, setting forth a legislative finding that the regulation, classification, and promulgation of maturity standards for citrus hybrids should be accomplished by department of citrus regulation pursuant to its existing regulatory powers; amending §§601.15(3)(a) and 601.151(1), Florida Statutes, to make the citrus excise taxes and fees now applicable to some citrus hybrids applicable to all citrus hybrids so regulated; amending §§601.03(7), 601.14(2), 601.15(3)(c) and (f), 601.151(2), (3), and (5), 601.19, 601.20, 601.21(1), 601.22, 601.43, 601.44, 601.80, 601.81(4), and 601.9902, all Florida Statutes, to conform the language of said sections to the language of §20.29 and to the amended language of §§601.04(40) and 601.9910(3), all Florida Statutes; amending §601.29(2), Florida Statutes, to authorize the department of agriculture and consumer services to enter in order to enforce the prohibition provided in §601.80, Florida Statutes, against the use of coloring; repealing §§601.03(36), (37), (41), and (42), 601.15(6)(g), 601.21(2), 601.231, 601.232, 601.81(5), 601.82, and 601.84, all Florida Statutes, to conform to this act; directing the statutory revision service to make appropriate changes in terminology; providing an effective date.

Was read the second time by title. On motion by Senator Bishop, by two-thirds vote HB 1600 was read the third time by title, passed and certified to the House. The vote was: Yeas—37 Nays—None

Mr. President	Deeb	Johnson (29th)	Saunders
Arnold	de la Parte	Johnson (34th)	Scarborough
Barrow	Ducker	Karl	Stolzenburg
Beaufort	Gong	Knopke	Trask
Bishop	Graham	Lane	Ware
Boyd	Gunter	Lewis (43rd)	Weber
Brantley	Haverfield	McClain	Wilson
Broxson	Henderson	Myers	
Childers	Hollahan	Ott	
Daniel	Horne	Poston	

By unanimous consent Senators Plante, Lewis (33rd), Reuter, Williams and Barron were recorded as voting yea.

SB 419 was laid on the table.

HB 800—A bill to be entitled An act relating to citrus; amending section 601.06, Florida Statutes, to correct an ambiguity; providing that the Florida Citrus Commission members shall receive twenty-five dollars (\$25.00) per day in addi-

tion to per diem and reimbursement of expenses; and providing an effective date.

Was read the second time by title. On motion by Senator Bishop, by two-thirds vote HB 800 was read the third time by title, passed and certified to the House. The vote was:

Yeas—30

Arnold	Deeb	Johnson (29th)	Poston
Barrow	Ducker	Karl	Saunders
Beaufort	Gong	Knopke	Scarborough
Bishop	Graham	Lewis (43rd)	Trask
Boyd	Gunter	McClain	Ware
Broxson	Haverfield	Myers	Williams
Childers	Hollahan	Ott	
Daniel	Horne	Plante	

Nays—11

Mr. President	Brantley	Johnson (34th)	Weber
Barron	de la Parte	Lane	Wilson
Bell	Henderson	Stolzenburg	

Senators Reuter and Lewis (33rd) were recorded as voting yea.

SB 412 was laid on the table.

SB 778 was taken up, together with:

By the Committee on Rules, Calendar, Privileged Business and Ethics—

CS for CS for SB 778—A bill to be entitled An act relating to the division of universities of the department of education; amending Sections 20.15(4)(d) and (11), 240.001, 240.011, 240.021, 240.031, 240.042, 240.181(3) and 243.01(2) and (3), Florida Statutes, and adding a new section to chapter 243, Florida Statutes, providing that the board of regents shall be replaced by a board of trustees of the state university system as head of the division of universities of the department of education; providing for the membership, powers and duties of the board of trustees; providing for the appointment of a chancellor as chief administrative officer; providing powers and duties of the chancellor; repealing Sections 20.15(13), 240.043, 240.211, 241.475(3) and 243.05, all Florida Statutes, relating to the transfer of the board of regents to the department of education, to board of regents' authority regarding continuing education, to transfer of applicability of laws from board of control to board of regents, to the planning of a school of law at Florida State University, and to approval of board of regents' resolution authorizing issuance of revenue certificates by board of education, to conform with this act; directing the statutory revision service to make appropriate changes in the Florida Statutes; providing an effective date.

—which was read the first time by title and SB 778 was laid on the table.

On motion by Senator Haverfield, by two-thirds vote, CS for CS for SB 778 was read the second time by title.

Senators Boyd, Karl, Pope and Saunders offered the following amendment which was moved by Senator Boyd:

On pages 2—13, following the enacting clause, strike the remainder of the bill and insert: Section 1. Subsection 1 of Section 240.011, Florida Statutes, is amended to read: (1) The board of regents shall consist of nine citizens of this state selected from the state at large, representative of the geographical areas of the state who shall have been residents and citizens thereof for a period of at least ten years prior to their appointment, and who shall be appointed by the governor, approved by three members of the cabinet and confirmed by the senate; provided, however, that no appointee shall take office until after his appointment has been approved by three members of the cabinet; provided further that the state board of education shall develop rules and procedures for review and approval of the appointees. Their terms of office shall be ~~nine~~

four years and until their successors are appointed and qualified, except, in case of an appointment to fill a vacancy, in which case the appointment shall be for the unexpired term, and except as in this section otherwise provided; provided, however, that no member shall be selected from any county to serve with any other member from the same county. The governor shall fill all vacancies, subject to the above approval and confirmation, that may at any time occur therein, provided, however, the terms of the initial membership of the board of regents shall be as follows: One member shall be appointed for one year beginning January 1, 1965; one member shall be appointed for two years beginning January 1, 1965; one member shall be appointed for three years beginning January 1, 1965; one member shall be appointed for four years beginning January 1, 1965; one member shall be appointed for five years beginning January 1, 1965; one member shall be appointed for six years beginning January 1, 1965; one member shall be appointed for seven years beginning January 1, 1965; one member shall be appointed for eight years beginning January 1, 1965; one member shall be appointed for nine years beginning January 1, 1965; provided, however, if the proposed constitutional amendment permitting nine year terms for members of the board of regents shall have been ratified by the people prior to December 31, 1963, the terms of the initial membership of the board shall begin January 1, 1964. *Following expiration of the terms of the initial membership of the board and the expiration of the terms of other regents heretofore appointed, the new appointments shall be for a term of four years.*

Section 2. This law shall take effect January 1, 1972.

On motion by Senator Ware the following amendment to the amendment was adopted:

On page 2, line 16, section 1, strike "initial" and insert: present

The question recurred on the amendment as amended which failed by the following vote:

Yeas—13

Boyd	Johnson (29th)	Reuter	Williams
Ducker	Karl	Saunders	
Graham	Lewis (43rd)	Trask	
Horne	Pope	Ware	

Nays—29

Mr. President	Childers	Hollahan	Poston
Arnold	Daniel	Johnson (34th)	Scarborough
Barron	Deeb	Lane	Stolzenburg
Beaufort	de la Parte	Lewis (33rd)	Weber
Bell	Fincher	McClain	Wilson
Bishop	Gunter	Myers	
Brantley	Haverfield	Ott	
Broxson	Henderson	Plante	

By unanimous consent Senator Barrow was recorded as voting nay.

On motions by Senator Haverfield, by two-thirds vote, CS for CS for SB 778 was read the third time by title, passed and by two-thirds vote, immediately certified to the House. The vote was:

Yeas—31

Mr. President	Broxson	Henderson	Myers
Arnold	Childers	Hollahan	Ott
Barron	Daniel	Horne	Poston
Barrow	Deeb	Johnson (34th)	Sayler
Beaufort	de la Parte	Knopke	Scarborough
Bell	Fincher	Lane	Stolzenburg
Bishop	Gunter	Lewis (33rd)	Wilson
Brantley	Haverfield	McClain	

Nays—14

Boyd	Karl	Reuter	Weber
Ducker	Lewis (43rd)	Saunders	Williams
Graham	Plante	Trask	
Johnson (29th)	Pope	Ware	

Senator Henderson moved that when the Senate adjourns it adjourn to reconvene at 2:30 p.m. and the motion failed.

On motion by Senator Daniel, unanimous consent was obtained to take up out of order—

SB 1394—A bill to be entitled An act relating to county judges; amending §44.12(3) and (4), Florida Statutes, and adding subsection (5); fixing the salaries of county judges in Hernando, Citrus, Sumter and Volusia Counties; providing method for setting salary of county judges in Lake County; providing an effective date.

Which was read the second time by title.

The Committee on Governmental Efficiency offered the following amendment which was moved by Senator Daniel and failed:

On page 2, line 7, section 3, strike "October" and insert: September

On motion by Senator Henderson the following amendment was adopted:

On page 2, on line 1 add "s" to subsection and after (5) add and (6)

On line 2 strike "is" and insert: are and add new (6) as follows:

(6) Notwithstanding the provisions of (1) of this section, the salary of the county judge of Charlotte County shall be \$23,500 annually.

On motion by Senator Henderson the following amendment was adopted:

On page 1, lines 6 and 8, in title, strike after "Statutes" : "and" on line 6 between (5) and semi colon add: and (6); on line 8 between "Sumter and" add: Charlotte

On motion by Senator Daniel, by two-thirds vote, SB 1394 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—34

Arnold	Deeb	Karl	Saunders
Beaufort	de la Parte	Knopke	Sayler
Bell	Ducker	Lewis (33rd)	Scarborough
Bishop	Fincher	McClain	Trask
Boyd	Graham	Myers	Ware
Brantley	Henderson	Ott	Williams
Broxson	Hollahan	Pope	Wilson
Childers	Johnson (29th)	Poston	
Daniel	Johnson (34th)	Reuter	

Nays—6

Mr. President	Barrow	Stolzenburg
Barron	Lane	Weber

On motion by Senator Daniel, by two-thirds vote, SB 1394 was ordered immediately certified to the House, after engrossing.

By unanimous consent Senator Saunders was recorded as voting nay on the passage of CS for HB 736 on May 21.

The hour of 12:00 noon having arrived, the Senate proceeded to the consideration of—

SPECIAL ORDER

HB 753 was taken up, together with:

By the Committee on Ways and Means—

SCS for HB 753—A bill to be entitled An act relating to ad valorem taxation and exemptions therefrom; amending chapter 196, Florida Statutes, by adding new sections, by amending section 196.011, Florida Statutes, and by repealing sections 196.191, 196.201, 196.211, 196.22, 196.25, 196.275 and 196.30, Florida Statutes; repealing all exemptions granted by special or local acts or general acts of local application; providing definitions; establishing procedures and criteria for granting exemptions; providing for the approval of exemptions by tax assessors and the review of determinations by the boards of tax adjustment; providing for the exemption of certain property used exclusively or predominantly for literary, scientific, religious, educational, and governmental purposes; excluding certain leasehold interests from exemption; providing an exemption for property owned by widows, totally and permanently disabled persons, and blind persons; amending chapter 192 by providing for the taxation of nonexempt properties; providing a severability clause; providing an effective date.

Which was read the first time by title and HB 753 was laid on the table.

On motion by Senator de la Parte, by two-thirds vote, SCS for HB 753 was read the second time by title.

Senators Boyd, Gunter and Pope offered the following amendment which was adopted on motion by Senator Boyd:

On page 6, line 20, section 3, strike "such predominant use" and insert: the ratio that such predominant use bears to the non-exempt use.

The vote was:

Yeas—21

Arnold	de la Parte	Lewis (43rd)	Trask
Barron	Ducker	McClain	Ware
Beaufort	Graham	Myers	Wilson
Boyd	Gunter	Ott	
Brantley	Hollahan	Pope	
Deeb	Horne	Poston	

Nays—13

Barrow	Johnson (29th)	Plante	Williams
Bell	Knopke	Reuter	
Childers	Lane	Sayler	
Daniel	Lewis (33rd)	Scarborough	

Senators Boyd and Pope offered the following amendment which was moved by Senator Boyd and failed:

On page 16, line 28, section 9, after period add: Provided, however, that until January 1, 1975, this limitation shall not apply to organizations meeting all the other requirements of this act, and having an exemption under section 501(c)(4) of the Internal Revenue Code.

The vote was:

Yeas—13

Arnold	Broxson	McClain	Ware
Barrow	Gunter	Pope	
Beaufort	Haverfield	Stolzenburg	
Boyd	Johnson (29th)	Trask	

Nays—26

Mr. President	Ducker	Lane	Saunders
Barron	Fincher	Lewis (33rd)	Sayler
Bell	Graham	Myers	Scarborough
Bishop	Hollahan	Ott	Williams
Brantley	Johnson (34th)	Plante	Wilson
Childers	Karl	Poston	
de la Parte	Knopke	Reuter	

Senators Saylor and Boyd offered the following amendment which was adopted on motion by Senator Saylor:

On page 16, line 21, section 9 add a new subparagraph (4) (Renumber the remaining paragraphs) To the exemption granted under this subsection for the years 1972-73 shall be added the value of the property used as a residence by persons or couples not meeting the exemption requirements of this act, but whose residence agreements contain a provision preventing the home from increasing the monthly residence charge for the payment of ad valorem taxes and which agreements were in effect on June 1, 1971.

Senator Daniel moved the adoption of the following amendment:

On page 22, line 10, section 14, strike the period (.) and insert: except where the act or acts specifically declares the purpose of such act to be a public or governmental purpose in which instance such act or acts shall remain in full force and effect.

Senator Bell moved that debate on the foregoing amendment, all amendments and the bill be limited to 2 minutes per side.

Senator Plante moved as a substitute motion that debate on all amendments and the bill be limited to twenty minutes. The substitute motion was adopted by two-thirds vote.

The question recurred on the adoption of the amendment and the amendment failed.

Senators Barrow, Beaufort, Scarborough, Brantley, Deeb, Hollahan, Horne, Poston and Bishop offered the following amendment which was moved by Senator Barrow and failed:

On page 2, line 9, section 1(1), after period add following sentence: Benevolent and Fraternal orders and associations which perform religious and charitable functions shall be considered as a religious-charitable exemption under the terms of this Act.

Senator Reuter presiding.

The President presiding.

Senator Stolzenburg moved the adoption of the following amendment which failed:

On page 22, line 10, section 14, strike the period and insert: Provided, however, that in Broward County the tax assessor of said county is hereby authorized to make an exception to the provisions of section 192.042, Florida Statutes; requiring that property be assessed on January 1st of each year by exempting from the provisions of the general law the assessment of taxes for the year 1971 on property purchased by any non-

profit religious corporation within thirty days after January 1, 1971.

The vote was:

Yeas—19

Barrow	Daniel	Hollahan	Poston
Bishop	Deeb	Johnson (29th)	Stolzenburg
Boyd	Ducker	Karl	Ware
Broxson	Haverfield	Lewis (43rd)	Wilson
Childers	Henderson	McClain	

Nays—22

Mr. President	Gong	Lewis (33rd)	Saunders
Arnold	Graham	Myers	Saylor
Beaufort	Gunter	Ott	Scarborough
Bell	Horne	Plante	Trask
Brantley	Johnson (34th)	Pope	
de la Parte	Knopke	Reuter	

On motion by Senator de la Parte, by two-thirds vote, SCS for HB 753 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—28

Mr. President	Ducker	Knopke	Pope
Arnold	Gong	Lane	Poston
Bell	Graham	Lewis (33rd)	Saunders
Boyd	Henderson	McClain	Saylor
Brantley	Horne	Myers	Stolzenburg
Broxson	Johnson (34th)	Ott	Williams
de la Parte	Karl	Plante	Wilson

Nays—15

Barrow	Daniel	Hollahan	Scarborough
Beaufort	Deeb	Johnson (29th)	Trask
Bishop	Gunter	Lewis (43rd)	Ware
Childers	Haverfield	Reuter	

By unanimous consent Senator Daniel changed his vote from nay to yea.

Senator Pope moved that the Senate reconsider the vote by which SCS for HB 753 as amended passed.

Senator Hollahan announced the special order calendar for Monday, May 31, would consist of approximately 20 environmental and conservation control bills to be followed by the remainder of House Bills on the special order calendar for this day. On Tuesday, June 1, the Senate will take up local bills followed by Senate and House claim bills on special order.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 1:00 p.m. to reconvene at 8:30 a.m., May 31, for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions and thereafter to reconvene at 10:00 a.m., May 31, 1971.